

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

STEPHANIE ZEZNANSKI, individually
and on Behalf of All Others Similarly Situated

PLAINTIFF

V.

CASE NO. 6:17-CV-6023

FIRST STEP, INC.

DEFENDANT

ORDER

Before the Court is a Joint Stipulation of Dismissal. ECF No. 24. The parties state that they have reached an agreement¹ that resolves all claims and move the Court to dismiss this action with prejudice with each party to bear its own attorney's fees and costs. After considering the parties' Joint Stipulation of Dismissal, the Court finds that this matter should be and hereby is **DISMISSED WITH PREJUDICE**. The Court shall retain jurisdiction for the purpose of enforcing the settlement agreement.

IT IS SO ORDERED, this 5th day of October, 2017.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge

¹ Several courts have held that settlement agreements resolving wage claims are subject to court approval to ensure that the parties are not negotiating around statutory minimum wages. *See, e.g., Int'l Union, United Auto., Aerospace, and Agric. Implement Workers of Am. v. Gen. Motors Corp.*, 497 F.3d 615, 631 (6th Cir. 2007); *Lynn's Food Stores, Inc. v. U.S.*, 679 F.2d 1350, 1353 (11th Cir. 1982); *Cruthis v. Vision's*, No. 4:12-CV-00244, 2014 WL 4092325 (E.D. Ark. Aug. 19, 2014). Other courts have held that court approval of a settlement is not necessary in cases where the lawsuit is not a collective action, all plaintiffs have been represented by counsel throughout the entirety of the case, and the parties wish for their agreement to remain private. *Schneider v. Habitat for Humanity Int'l, Inc.*, No. 5:14-CV-5230, 2015 WL 500835, at *3 (W.D. Ark. Feb. 5, 2015). It appears to the Court that the settlement agreement in this case is of the type that does not require court approval. That being said, in the past, parties have nonetheless submitted wage and hour settlement agreements for review while arguing that judicial approval was not necessary. The parties have not submitted their settlement agreement in this case and so the Court has not reviewed the present settlement agreement.